

05-13-2003



Form PTO-1594
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)
Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

102445869

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

LE-NATURE'S, INC.

5.8-03

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State Delaware
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Notice of Grant of Security Interest

Execution Date: April 14, 2003

2. Name and address of receiving party(ies)

Name: Wachovia Bank, National Association, as
Internal as Administrative Agent
Address: CP-23

Street Address: 201 South College Street

City: Charlotte State: NC Zip: 28288-0680

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☐ Corporation-State _____
☒ Other National Banking Association

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No
 (Designations must be a separate document from assignment)
 Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s) see attached

B. Trademark Registration No.(s) see attached

Additional number(s) attached ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Steven D. Thomas

Internal Address: Moore & Van Allen PLLC

Street Address: 2200 W. Main Street

Suite 800

City: Durham State: NC Zip: 27705

6. Total number of applications and registrations involved:

9

7. Total fee (37 CFR 3.41).....\$ 240.00

- ☒ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

50-2316

DO NOT USE THIS SPACE

9. Signature.

Steven D. Thomas

Name of Person Signing

Steven D. Thomas
Signature

May 8, 2003

Date

Total number of pages including cover sheet, attachments, and document: 6

05/12/2003 T91A21 00000191 76409264

01 FC:8521
02 FC:8522

40.00 OP
200.00 OP

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
REEL: 002730 FRAME: 0930

SCHEDULE A

Le-Nature's Inc.
U.S. Trademarks

Registered Marks

CERTIFIED FULLY PASTEURIZED FP and Design	2630038	10/8/02
OPEN YOUR EYES DRINK PASTEURIZED	2342536	4/18/00
LE-NATURE'S	1784962	7/27/93

Pending Applications

AQUAXTRA	76409264	5/16/02
Miscellaneous Design	76332260	10/29/01
LE NATURE'S <THE NATURAL> and Design	76330327	10/25/01
Miscellaneous Design	76315327	9/19/01
Miscellaneous Design	76315207	9/19/01
Miscellaneous Design	76315198	9/19/01

NOTICE
OF
GRANT OF SECURITY INTEREST
IN
TRADEMARKS

United States Patent and Trademark Office

Gentlemen:

Please be advised that pursuant to the Security Agreement dated as of April ¹⁴, 2003 (the "Security Agreement") by and among the Obligors thereto (each an "Obligor" and collectively, the "Obligors") and Wachovia Bank, National Association, as Administrative Agent (the "Administrative Agent") for the Secured Parties referenced therein (the "Secured Parties"), the undersigned Obligor has granted a continuing security interest in and continuing lien upon, the trademarks and trademark applications shown below to the Administrative Agent for the ratable benefit of the Secured Parties:

TRADEMARKS

<u>Trademark No.</u>	<u>Description of Trademark</u>	<u>Date of Trademark</u>
	See Schedule A attached hereto.	

TRADEMARK APPLICATIONS

<u>Trademark Application No.</u>	<u>Description of Trademark Applied For</u>	<u>Date of Trademark Application</u>
	See Schedule A attached hereto.	

The Obligors and the Administrative Agent, on behalf of the Secured Parties, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

LE-NATURE'S, INC.,
A Delaware corporation

By: 

Name: *Gregory T. Podlochy*

Title: *Chairman and CEO*

Acknowledged and Accepted:

WACHOVIA BANK, NATIONAL ASSOCIATION,
as Administrative Agent

By: _____

Name:

Title:

The Obligors and the Administrative Agent, on behalf of the Secured Parties, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.


Very truly yours,

LE-NATURE'S, INC.,
A Delaware corporation

By: _____
Name:
Title:

Acknowledged and Accepted:

WACHOVIA BANK, NATIONAL ASSOCIATION,
as Administrative Agent

By:  _____
Patrick J. Kaufmann
Vice President

SCHEDULE A

Le-Nature's Inc.
U.S. Trademarks

Registered Marks

Mark	Registration No.	Registration Date
CERTIFIED FULLY PASTEURIZED FP and Design	2630038	10/8/02
OPEN YOUR EYES DRINK PASTEURIZED	2342536	4/18/00
LE-NATURE'S	1784962	7/27/93

Pending Applications

Mark	Application No.	Filing Date
AQUAXTRA	76409264	5/16/02
Miscellaneous Design	76332260	10/29/01
LE NATURE'S <THE NATURAL> and Design	76330327	10/25/01
Miscellaneous Design	76315327	9/19/01
Miscellaneous Design	76315207	9/19/01
Miscellaneous Design	76315198	9/19/01

Steven D. Thomas
Attorney at Law

T 919 286 8122
F 919 416 8322
steventhomas@mvalaw.com

Moore & Van Allen PLLC

Offices:
Suite 800
2200 West Main Street
Durham, NC 27705-4658

Mailing Address:
Post Office Box 3843
Durham, NC 27702-3843

May 8, 2003

Via Express Mail:
EV253559211US

Commissioner of Patents and Trademarks
BOX ASSIGNMENTS
Washington, D.C. 20231

Re: Recordation of Notice of Grant of Security Interest in Trademarks
Attorney Docket Number: 512485-1120

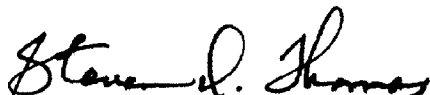
Dear Sir/Madam:

Please find enclosed the following documents for recording with the Patent and Trademark Office.

1. Recordation Form Cover Sheet - Trademarks;
2. Notice of Grant of Security Interest in Trademarks, executed April 14, 2003, between LE-NATURE'S, INC. and Wachovia Bank, National Association, as Administrative Agent;
3. Check No. 36562 in the amount of Two Hundred Forty Dollars (\$240.00); and
4. Postcard acknowledgment of filed Notice of Grant of Security Interest in Trademarks documents.

Sincerely yours,

Moore & Van Allen PLLC



Steven D. Thomas

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" mailing label number EV253559211US
I hereby certify that this correspondence is addressed to
the Commissioner of Patents and Trademarks, BOX
ASSIGNMENTS, Washington, DC 20231 and is being
deposited with the United States Postal Service "Express
Mail Post Office to Addressee" service under 37 CFR 1.10
on the date noted below.

WYATT D. HAMILTON
(Typed or printed name of person mailing paper or fee)

[Signature]
(Signature of person mailing papers or fee)

5/8/03
(Date of Signature)